

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Blockchain Technologies Corp.,

Plaintiff/Counterclaim
Defendant,

—v—

RVH Inc., et al.,

Defendants/Counterclaim
Plaintiffs,

RVH Inc., et al.,

Third-Party Plaintiffs,

—v—

Nikolaos Spanos, et al.,

Third-Party Defendants.

FEB 18 2020

18-cv-9352 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On February 14, 2020, Third-Party Defendant The Synapse Foundation filed a motion to dismiss the Third-Party Complaint. Pursuant to Rule 3.F of this Court's Individual Practices in Civil Cases, on or before February 24, 2020, Third-Party Plaintiffs must notify the Court and their adversaries in writing whether (1) they intend to file an amended pleading and when they will do so or (2) they will rely on the pleading being attacked. Third-Party Plaintiffs are on notice that declining to amend their pleadings to timely respond to a fully briefed argument in the Third-Party Defendant's February 14 motion to dismiss may well constitute a waiver of the Third-Party Plaintiffs' right to use the amendment process to cure any defects that have been

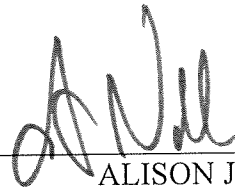
made apparent by the Third-Party Defendant's briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC*, 797 F.3d 160, 190 (2d Cir. 2015) (leaving "unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility").

If Third-Party Plaintiffs choose to amend, Third-Party Defendant may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it relies on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal Rules of Civil Procedure or Local Rules.

SO ORDERED.

Dated: February 18, 2020
New York, New York

A handwritten signature in dark ink, appearing to read 'Alison J. Nathan', is written over a horizontal line.

ALISON J. NATHAN
United States District Judge